

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10302 of 2026

Arising Out of PS. Case No.-79 Year-2024 Thana- MAHILA PS District- Darbhanga

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Afroj Ali Nadaf S/o Md. Haidar @ Md. Haidar Ali R/o Village- Belhi, P.S-
Sadar, Dist- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 2 04-05-2026 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and the learned counsel appearing on behalf
of the informant.
2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 64, 115(2) and 3(5) of the
BNS, 2023.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is in custody
since 06.01.2026 and had earlier moved this Court seeking



anticipatory bail by filing Criminal Miscellaneous No. 68790 of 2024 and the same came to be allowed by an order dated 03.10.2024 after considering the case on merit and in detail, but with a condition that anticipatory bail order shall lose its effect, if charge sheet is submitted. It is next submitted that on 29.10.2024 charge sheet came to be submitted against the petitioner and thereafter petitioner again moved this Court seeking anticipatory bail by filing Criminal Miscellaneous No. 69912 of 2025 and the same was permitted to be withdrawn by an order dated 23.12.2025, thereafter petitioner surrendered on 06.01.2026. It is submitted that though allegation is of rape, but then the same is not corroborated by the medical evidence.

4. At this stage, the learned counsel appearing on behalf of the informant submits that charges have been framed, trial has commenced and out of seven prosecution witnesses, six prosecution witnesses have been examined and the only prosecution witness left to be examined is the Investigating Officer, whose evidence is to be recorded on 07.05.2026.

5. Since trial has commenced and out of seven prosecution witnesses, six prosecution witnesses have been examined, as such, the Court is not inclined to release the petitioner on bail.



6. However, the learned Trial Court is directed to ensure that trial is concluded within a period of one month from the date of production/receipt of a copy of this order, if what has been submitted by the learned counsel appearing on behalf of the informant is true and petitioner does not have any defence witness to be examined.

7. Accordingly, the instant bail application stands rejected.

(Satyavrat Verma, J)

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